

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SOLOMON SEALES, JR.,

Plaintiff,

vs.

UNKNOWN RUSSELL, et al.,

Defendants.

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Case No. 4:11-CV-422-AGF

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to proceed in forma pauperis [Doc. #2]. Plaintiff, a prisoner, has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.¹ Under 28 U.S.C. § 1915(g), therefore, the Court may not grant the motion unless plaintiff "is under imminent danger of serious physical injury."

After reviewing the complaint, the Court finds no allegations that would show that plaintiff is in imminent danger of serious physical injury. As a result, the Court will deny the motion and will dismiss this action without prejudice to refile as a fully paid complaint.

Accordingly,

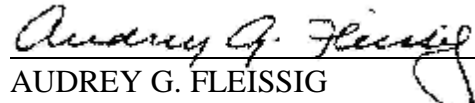
IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [Doc. #2] is **DENIED**.

¹See Seales v. Purkett, 99-CV-4050-NKL (W.D. Mo.)(denying plaintiff in forma pauperis status on the basis of his three-strikes status and dismissing case under 28 U.S.C. § 1915(g)) (citing Seales v. Goose, 95-CV-4187-SOW (W.D. Mo.) ; Seales v. Moorish Science Temple, Case No. 95-CV-4246-SOW (W.D. Mo.); Seales v. Goose, No. 96-4053 (W.D.Mo.); Seales v. Goose, No. 96-4232 (W.D.Mo.)); see also Seals v. Kemna, 98-CV-6153- HFS (W.D. Mo.); Seales v. Kemna, Case No. 98-6157-HFS (W.D. Mo.).

IT IS FURTHER ORDERED that this action is **DISMISSED**, without prejudice,
pursuant to 28 U.S.C. § 1915(g).

An Order of Dismissal shall accompany this Memorandum and Order.

Dated this 6th day of March, 2011.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE